

East Hartford, CT

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MASTEC NORTH AMERICA, INC.

and

Case 34-CA-090246

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, LOCAL 488,  
AFL-CIO

ORDER APPROVING STIPULATION, GRANTING MOTION,  
AND TRANSFERRING PROCEEDING TO THE BOARD

This matter comes before the Board upon the joint motion of Respondent Mastec North America, Inc., Charging Party International Brotherhood of Electrical Workers, Local 488, AFL-CIO, and the General Counsel to waive a hearing and decision by an administrative law judge and to transfer the proceedings to the Board for a decision based on the stipulated record.

On May 23, 2013, the General Counsel, through the Regional Director for Region 1, Subregion 34, issued a complaint and notice of hearing alleging that at all material times the Respondent has maintained, in its "Employee Handbook and Policies and Procedures," a Dispute Resolution Policy, a Tape Recording Policy, and a rule prohibiting "use of abusive, threatening or derogatory language towards employees, customers or management." The complaint alleges that, by the foregoing conduct, the Respondent has violated Section 8(a)(1) of the Act by interfering with, restraining, and coercing employees in the exercise of their Section 7 rights.

On June 19, 2014, the parties filed a joint motion and stipulation of facts with the Board, which was refiled on September 26, 2014. Pursuant to Section 102.35(a)(9) of

the Board's Rules and Regulations, the parties have waived a hearing before an administrative law judge and agreed to submit the record in this case directly to the Board for findings of fact, conclusions of law, and a Decision and Order. The parties have requested that the Board set a time for the filing of briefs.

The Board having considered the matter,

IT IS ORDERED that the joint motion is granted and the case is transferred to and continued before the Board in Washington, D.C., for the purpose of issuing findings of fact, conclusions of law, and a Decision and Order.

IT IS FURTHER ORDERED that the stipulated record, which includes the joint motion and stipulation of facts and the exhibits attached thereto (including the charges, the Complaint and Notice of Hearing, the Answer, and statements of position by the General Counsel, the Respondent, and the Charging Party), is approved and made part of the record.

The parties may file initial briefs with the Board in Washington, D.C., on or before [21 days after Order issues], and answering briefs within 14 days thereafter in accordance with Section 102.35(a)(9) of the Board's Rules and Regulations.

Dated, Washington, D.C., November 17, 2014

By Direction of the Board:

A handwritten signature in black ink, reading "Gary Shinnors", is written over a set of three horizontal dashed lines.

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Gary Shinnors  
Executive Secretary